

MARCIA M. WALDRON
CLERK

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

TELEPHONE
215-597-2995

1 to L. M. G. Smyer

Middle (Harrisburg) Clerk of District Court
(District)

Date 01/27/03

Fidtlar v. PA Dept. Corrections
(Caption)

C. of A. No. 01-3994

Joseph Fidtlar
(Appellant)

RECEIVED

01-cv-00955
(D.C. No.)

FEB 07 2003

J. K. A.

Enclosures:

MARY E. D'ANDREA, CLERK

01/27/03 Certified Copy of C. of A. Order by the Court/Clerk
(Date)

_____ Released (Record) (Supplemental Record - First - Second - Third)

_____ Copy of this form to acknowledge receipt and return to C. of A.

_____ Record not released at this time until appeal(s) closed at No.(s) _____

_____ Please forward Certified List in Lieu of Record to this office.

_____ The certified copy of order issued as the mandate on _____
is recalled.

Carmella Wells (267)-299- 4928
Deputy Clerk Telephone Number

Receipt Acknowledge:

ackn'd
(Name)

2-7-03 BTB
(Date)

Rev. 3/13/00
Appeals (Certified List in Lieu of Record)

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No.01-3994

Fidtler v. PA. Dept. Of Corrections
01-cv-00955

FILED
HARRISBURG, PA

ORDER

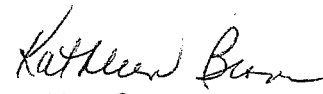
FEB 07 2003

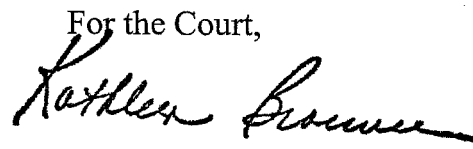
MARY E. D'ANDREA, CLERK
Per

It appearing that a panel of this Court disposed of the
above case by an opinion filed , 11/25/02 and it further appearing that a petition for
rehearing was timely filed by Appellant on 12/2/02 and further appearing that the
Clerk's Office erroneously issued the certified judgment/judgment-order in lieu of
formal mandate on 12/17/02,

It is O R D E R E D that the certified judgment issued in lieu of formal
mandate on 12/17/02, be and is hereby RECALLED.

A TRUE COPY:


Kathleen Brouwer,
Chief Deputy Clerk

For the Court,

Acting Clerk

Dated: January 27, 2003
clw/cc: Mr. Joseph Fidtler
Raymond W. Dorian, Esq.